



# INDEX

	Page
Opinions below.....	1
Jurisdiction.....	2
Question presented.....	2
Statute involved.....	2
Statement.....	13
Argument.....	18
Conclusion.....	18
Appendix.....	19

## CITATIONS

### Cases:

<i>American Federation of Labor v. National Labor Relations Board</i> , 308 U. S. 401.....	14
<i>Birmingham Post Co. v. National Labor Relations Board</i> , decided February 8, 1944, 13 L. R. R. 762.....	15
<i>Consolidated Edison Co. v. National Labor Relations Board</i> , 305 U. S. 197.....	14
<i>H. J. Heinz Co. v. National Labor Relations Board</i> , 311 U. S. 514.....	15, 16
<i>International Ass'n of Machinists v. National Labor Relations Board</i> , 311 U. S. 72.....	15, 16, 17
<i>National Labor Relations Board v. Columbian Enameling &amp; Stamping Co.</i> , 306 U. S. 292.....	14
<i>National Labor Relations Board v. Electric Vacuum Cleaner Co.</i> , 315 U. S. 685.....	17
<i>National Labor Relations Board v. Link-Belt Co.</i> , 311 U. S. 584.....	14, 17
<i>National Labor Relations Board v. Nevada Consolidated Copper Corp.</i> , 316 U. S. 105.....	14
<i>National Labor Relations Board v. Newport News Shipbuilding &amp; Dry Dock Co.</i> , 308 U. S. 241.....	17
<i>National Labor Relations Board v. Southern Bell Telephone &amp; Telegraph Co.</i> , 319 U. S. 50.....	14
<i>National Labor Relations Board v. Virginia Electric &amp; Power Co.</i> , 314 U. S. 469.....	14, 16
<i>Sperry Gyroscope Co. v. National Labor Relations Board</i> , 129 F. (2d) 922.....	16
<i>Swift &amp; Co. v. National Labor Relations Board</i> , 106 F. (2d) 87.....	16

## II

### Cases—Continued.

	Page
<i>Utah Copper Co. et al., Matter of</i> , 7 N. L. R. B. 928.....	3
<i>Woolworth Co., F. W., v. National Labor Relations Board</i> , 121 F. (2d) 658.....	16
<b>Statute:</b>	
National Labor Relations Act, Act of July 5, 1935, c. 372, 49 Stat. 449 (29 U. S. C. 151 <i>et seq.</i> ):	
Sec. 7.....	19
Sec. 8 (1).....	19
Sec. 8 (2).....	19
Sec. 9 (c).....	19
Sec. 10 (a).....	20
Sec. 10 (e).....	20
Sec. 10 (f).....	20
Utah Code, 1943, Chap. 14, Tit. 49.....	11

# **In the Supreme Court of the United States**

OCTOBER TERM, 1943

---

No. 802

THE INDEPENDENT ASSOCIATION OF MILL WORKERS,  
THE INDEPENDENT ASSOCIATION OF MINE WORK-  
ERS, UTAH COPPER COMPANY, A CORPORATION,  
AND KENNECOTT COPPER CORPORATION, A COR-  
PORATION, PETITIONERS

v.

NATIONAL LABOR RELATIONS BOARD

---

*ON PETITION FOR A WRIT OF CERTIORARI TO THE UNITED  
STATES CIRCUIT COURT OF APPEALS FOR THE TENTH  
CIRCUIT*

---

**BRIEF FOR THE NATIONAL LABOR RELATIONS BOARD IN  
OPPOSITION**

---

## **OPINIONS BELOW**

The opinion of the court below (R. 1575-1581) is reported in 139 F. (2d) 788. The findings of fact, conclusions of law, and order of the National Labor Relations Board (R. 176-180, 66-136) are reported in 47 N. L. R. B. 757.

(1)